

CITY OF MUSKEGON

CITY COMMISSION MEETING

AUGUST 25, 2009

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, August 25, 2009.

Mayor Warmington opened the meeting with a prayer from Pastor Tim Cross from the Living Word Church after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Lawrence Spataro, Sue Wierengo, Steve Wisneski, Chris Carter, and Clara Shepherd, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2009-71 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes for the August 10th Commission Worksession, and the August 11th Regular Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Purchase of 1381 Seventh Street. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the purchase of 1381 Seventh Street from Steven and Teresa Lewis of 4318 Deerfield Run, Dorr, MI, for the appraised price of \$9,000, minus five percent. The agreed upon price for the structure is \$8,550.

After obtaining the property at 1381 Seventh Street, the City will demolish the structure and combine the parcel with the adjacent property at 1387 Seventh Street, which was also purchased by the CNS office and will also be demolished.

Both activities concerning 1381 Seventh Street will be financed with Neighborhood Stabilization Funds from the US Department of Housing and Urban Development.

FINANCIAL IMPACT: The funding will be from the City's NSP funds.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the request.

COMMITTEE RECOMMENDATION: Both the City Commission and Citizen's District Council were given overviews of the objective of the Neighborhood Stabilization Program.

C. Sale of Parcel at 402 Southern. COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To approve the sale of the parcel at 402 Southern to Mr. Abraham Wheeler of 412 Southern, the adjacent neighbor to the property. The City obtained the property at 402 Southern by purchasing it through its Neighborhood Stabilization Program, financed by the US Department of Housing and Urban Development. Since the City purchased the property, a fire occurred at the site and the structure on the property was demolished by the City's DPW Division.

FINANCIAL IMPACT: In compliance with the City's guidelines, the property is being sold for \$1 plus the recording fees, totaling \$15.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the sale of said property to Mr. Abraham Wheeler.

COMMITTEE RECOMMENDATION: Both the City Commission and Citizen's District Council were given overviews of the objective of the Neighborhood Stabilization Program.

D. Agreement for School Resource Officer – Muskegon Public Schools. PUBLIC SAFETY

SUMMARY OF REQUEST: Police Department staff is requesting that the Commission approve an agreement between the City and the Muskegon Public Schools. The agreement provides for the continuance of a full-time School Resource Officer who is assigned to Muskegon High School. Muskegon Public Schools has agreed to pay one-half of the annual salary of the police officer position for a nine-month period. This agreement covers the period September 8, 2009, through June 11, 2010.

FINANCIAL IMPACT: This agreement will produce revenue in the amount of \$18,354 for the period of the agreement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the agreement.

E. Liquor License Request for Fricano's Muskegon Lake, L.L.C., 1050 W.

Western, #200. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Fricano's Muskegon Lake, L.L.C., to add space to the 2009 Resort Class C Licensed Business issued under MCL 436.1531(3) and SDM License with Outdoor Service (1 Area), located at 1050 W. Western, Suite 200, and requests New Additional Bar Permit (2) for a total of 3 Bars and New Dance-Entertainment Permit, and add a New Outdoor Service Area #2.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

G. Liquor License Request for L. C. Walker Arena, 470 W. Western. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Arena Concessions Group, L.L.C., Arena Management Group, L.L.C., and the City of Muskegon (Co-Licensees) for a new Outdoor Service (2 areas) to be held in conjunction with the 2009 Class C Licensed Business with Dance-Entertainment Permit located at 470 W. Western.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

H. Accept Resignations and Make Appointment to Various Boards and Committees. CITY CLERK

SUMMARY OF REQUEST: To accept the resignation of John R. Thompson from the District Library Board, Marcia Hovey-Wright from the Community Development Block Grant – Citizen's District Council, and Charlotte Bradshaw from the Citizen's Police Review Board. To appoint Andrew H. Cirner to the Citizen's Police Review Board.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To accept resignations and make appointment.

COMMITTEE RECOMMENDATION: The Community Relations Committee approved this request at their August 10th meeting.

Motion by Vice Mayor Gawron, second by Commissioner Spataro to approve the Consent Agenda as presented minus item F.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro

Nays: None

MOTION PASSES

2009-72 ITEM REMOVED FROM THE CONSENT AGENDA:

F. Liquor License Request for Daniels Concessions, L.L.C., 2300 Henry Street. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission is seeking local recommendation on a request from Daniels Concessions, L.L.C., to Add Space to the 2009 Class C & SDM Licensed Business with Dance Permit and Direct Connection-3, located at 2300 Henry, and Add 2 Bars for a total of 3 Bars and Drop the Existing Direct Connection-3 and Add a New Direct Connection-1.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

Motion by Commissioner Spataro, second by Commissioner Wisneski to approve the liquor license request for Daniels Concessions, L.L.C., 2300 Henry Street.

ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

2009-73 NEW BUSINESS:

A. Purchase of Equipment to Perform 6" to 15" Pipe Repairs. PUBLIC WORKS

SUMMARY OF REQUEST: Approval to purchase from Source One Environmental, trenchless excavating equipment to perform a 12" x 20ft. sanitary sewer repair at Oakgrove at Fleming which will also enable us to perform 6" – 15" repairs in the future.

FINANCIAL IMPACT: Total cost \$13,245.60.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve purchase from Source One Environmental.

Motion by Vice Mayor Gawron, second by Commissioner Shepherd to approve the purchase from Source One Environmental.

ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Shepherd, Spataro, Warmington, and Wierengo

Nays: None

MOTION PASSES

B. Designation of Voting Delegates for the Michigan Municipal League Annual Business Meeting. CITY CLERK

SUMMARY OF REQUEST: To designate by action of the Commission, one of our officials who will be in attendance at the Convention as an official representative to cast the vote of the municipality at the annual meeting; and, if possible, to designate one other official to serve as alternate.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

Motion by Commissioner Spataro, second by Commissioner Wierengo to designate Commissioner Shepherd as the voting delegate for the Michigan Municipal League Annual Business Meeting.

ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Warmington, Wierengo, and Wisneski

Nays: None

MOTION PASSES

ANY OTHER BUSINESS: Commissioner Spataro asked interested residents of the City to turn in talent bank applications.

PUBLIC PARTICIPATION: Comments reference gang activity were made.

ADJOURNMENT: The City Commission Meeting adjourned at 6:08 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk